IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 22069 of 2000

Between:

Cosmopolitan Club, Tuni, a Society Registered under the Societies Registration Act (A.P) 1860, Regd.No. 23/59,
Rep by its Secretary, Eeranki Venkata Rao.

..... PETITIONER

AND

1 State of A.P., Rep by its Secretary (Home), Hyderabad.
2 State of A.P., Rep by its Director General of Police, Khairatabad, Hyderabad.
3 Superintendent of Police, Kakinada, E.G.District.
4 Deputy Superintendent of Police, Peddapuram, E.G.District.
5 Inspector of Police, Tuni, E.G.District.
6 Sub-Inspector of Police, Tuni Town, E.G.District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus, directing the respondents, their men and subordinates from in any manner interfering with the lawful activities of the petitioner's club and its members including playing rummy and bridge with stakes and further direct the respondents that if they choose to inspect the petitioner's activities, they can do so in the presence of respected mediators like lawyers, doctors, auditors, judicial officers, legislative members (present and past) or gazetted officers and not to use Police

mediators in their endeavor to foist some cases or the other against the petitioner's members and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.M.SIVANANDA KUMAR

Counsel for the Respondents: GP FOR HOME

The Court made the following :

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ORDER:

The petitioner is a society, which is formed to provide entertainment to its members. The Club also arranges facilities for playing shuttle, ball-badminton, chess, bridge and rummy. Alleging that the respondents are unnecessarily interfering in its activities, the present writ petition is filed, praying for a writ of Mandamus directing the respondents not to interfere with the lawful activities.

A Division Bench of this Court in **Twin Cities Cinema Cultural Centre v. Commissioner of Police, A.P., Hyderabad** while clarifying the judgment of the learned Single Judge, disposed of the matter in the following manner.

> 3. Therefore, the police authorities cannot obstruct the writ petitioner-Club from conducting card room where the members and guests of the writ petitioner's cultural centre are allowed to play the game of rummy with stakes/syndicate (thirteen card game). At the same time, we make it clear that the police is always at liberty to enter the premises and check as to whether the cultural center of the Club is conducting card room where the members and guests of petitioner's cultural center are playing the game of rummy with stakes/syndicate (thirteen card game) for the purpose of verification. If they receive any intimation, the police may enter the club and verify the same and proceed further if the members and guests of writ petitioner's cultural centre play other than the game of rummy with stakes/syndicate (thirteen card game). The police authorities are also at liberty to proceed with the cases, which are already registered. The writ appeal is disposed of accordingly.

Following the same, the writ petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

24.06.2005

vs

To

1 The Secretary, State of A.P., (Home),
Hyderabad.
2 The Director General of Police,State of A.P.,
Khairatabad, Hyderabad.
3 The Superintendent of Police,
Kakinada, E.G.District.
4 The Deputy Superintendent of Police,
Peddapuram, E.G.District.
5 The Inspector of Police,
Tuni, E.G.District.
6 The Sub-Inspector of Police,
Tuni Town, E.G.District.

7 2 CCs to the G.P for Home, High Court of A.P., Hyderabad(O.U.T).

8 2 CD copies